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PATENT
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Express Mail No.: ET652099404US

Atty. Docket No.: POR1000.02A1

Mail Stop Patent Application
Commissioner for Patents
PO BOX 1450
Alexandria, VA 22313

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Inventor(s):

Robert Austin Porter and Richard Steven Porter

For (title):

APPARATUS AND METHOD FOR AUTOMATICALLY GRADING AND INPUTTING GRADES TO
ELECTRONIC GRADEBOOKS

1. Type of Application

This new application is for a(n):

- ☐ Original
- ☐ Design
- ☐ Plant
- ☐ Divisional
- ☐ Continuation
- ☒ Continuation-in-part (CIP)

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date June 27, 2003 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ET652099404 addressed to the: Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313.

James M. Ritchey

(Type or print name of person mailing paper)

(Signature of person mailing paper)

2. Benefit of Prior U.S. Application(s) (35 USC 120)

X The application being transmitted claims the benefit of Prior U.S. application(s).

X The application has been amended by inserting before the first line after the title of the invention the following:

"This application claims priority from U.S. provisional patent application serial number 60/317,135 filed on September 4, 2001 and is a Continuation-In-Part application claiming priority from U.S. original application serial number: 10/236,024 filed on September 3, 2002, both of which are incorporated herein by reference."

3. Particulars of Prior Application(s)

A) Provisional Application Serial No. 60/317,135 filed on September 4, 2001.

Title (as originally filed) COMPUTER APPARATUS AND METHOD FOR READING A HAND-MARKED DATA FORM and as last amended on COMPUTER APPARATUS AND METHOD FOR READING A HAND-MARKED DATA FORM.

Name of applicant(s) and current correspondence address of applicant(s)

Name: Robert Austin Porter

Residence: 1056 Auburn Street, Livermore, CA 94550 Country of Citizenship: United States

P.O. Address: 1056 Auburn Street, Livermore, CA 94550

Name: Richard Steven Porter

Residence: 1056 Auburn Street, Livermore, CA 94550 Country of Citizenship: United States

P.O. Address: 1056 Auburn Street, Livermore, CA 94550

B) Application Serial No. 10/236,024 filed on September 3, 2002.

Title (as originally filed) APPARATUS AND METHOD FOR AUTOMATICALLY INPUTTING GRADES TO ELECTRONIC GRADEBOOKS and as last amended on APPARATUS AND METHOD FOR AUTOMATICALLY INPUTTING GRADES TO ELECTRONIC GRADEBOOKS.

Name of applicant(s) and current correspondence address of applicant(s)

Name: Robert Austin Porter

Residence: 1056 Auburn Street, Livermore, CA 94550 Country of Citizenship: United States

P.O. Address: 1056 Auburn Street, Livermore, CA 94550

Name: Richard Steven Porter

Residence: 1056 Auburn Street, Livermore, CA 94550 Country of Citizenship: United States

P.O. Address: 1056 Auburn Street, Livermore, CA 94550

4. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.53(Design) Application

40 Pages of specification

8 Pages of claims

1 Pages of Abstract

20 Sheets of drawing

X formal

— informal

5. Additional papers enclosed

— Preliminary Amendment

— Information Disclosure Statement

— Form PTO - 1449

— Citations

— Declaration of Biological Deposit

— Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

— Authorization of Attorney(s) to Accept and Follow Instructions from Representative

— Special Comments

— Other

6. Declaration or Oath

— Enclosed

executed by:

— inventor(s)

— legal representative of inventor(s). 37 CFR 1.42 or 1.43

— joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

— this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. (See item 13 below for fee.)

7. Inventorship Statement

The inventorship for all the claims in this application are:

- ☒ The same
- or**
- ☐ Are not the same. An explanation, including the ownership of the various claims at the time the **last** claimed invention was made,
- ☐ is submitted.
- ☐ will be submitted.

8. Language

- ☒ English
- ☐ non-English
- ☐ the attached translation is a verified translation. 37 CFR 1.52(d).

9. Assignment

- ☐ An assignment of the invention to: _____
- ☐ is attached.
- ☐ will follow.

10. Certified Copies

Certified copy(ies) of application(s)

_____	_____	_____
(country)	(appln.no)	(filed)
_____	_____	_____
(country)	(appln.no)	(filed)
_____	_____	_____
(country)	(appln.no)	(filed)

from which priority is claimed

- ☐ is(are) attached. A separate "ASSIGNMENT COVER LETTER ACCOMPANYING NEW PATENT APPLICATION" is also attached.
- ☐ will follow.

11. Fee Calculation (37 CFR 1.16)

A. X Regular Application

CLAIMS AS FILED

	Number filed	Number Extra	Rate	Basic Fee
				\$ 750.00
Total				
Claims 37 CFR 1.16(c)	37 - 20 =	17	\$18.00	= <u>\$306.00</u>
Independent				
Claims (37 CFR 1.16(b))	5 - 3 =	2	X \$84.00	= <u>\$168.00</u>
Multiple dependent claim(s), if any (37 CFR 1.16(d))			\$280.00	= _____

- ___ Amendment canceling extra claims enclosed.
___ Amendment deleting multiple-dependencies enclosed.
___ Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$ 1224.00

B. ___ Design application

(\$330.00 - 37 CFR 1.16(f))

Filing Fee Calculation

\$ _____

C. ___ Plant application

(\$520.00 - 37 CFR 1.16(g))

Filing Fee Calculation

\$ _____

12. Small Entity Statement

X This is a filing by a small entity under 37 CFR 1.9 and 1.27.

Filing Fee Calculation (50% of A, B or C above)

\$612.00

13. Request for International-Type Search (37 CFR 1.104(d))

___ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

14. Fee Payment Being Made At This Time

☐ Not Enclosed
☐ No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16(e) can/will be paid subsequently.)

☒ Enclosed

<input checked="" type="checkbox"/>	basic filing fee	\$ <u>612.00</u>
<input type="checkbox"/>	recording assignment (\$40.00; 37 CFR 1.21(h))	\$ _____
<input type="checkbox"/>	petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. (\$130.00; 37 CFR 1.47 and 1.17(h))	\$ _____
<input type="checkbox"/>	for processing an application with a specification in a non-English language. (\$130.00; 37 CFR 1.52(d) and 1.17(k))	\$ _____
<input type="checkbox"/>	processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l))	\$ _____
<input type="checkbox"/>	fee for international-type search report. (\$40.00; 37 CFR 1.21(e))	\$ _____

Total Fees Enclosed \$ 612.00

15. Method of Payment of Fees

☒ Check in the amount of **\$ 612.00**

☐ Charge Account No. _____ in the amount of \$ _____

A duplicate of this transmittal is attached.

16. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 07-1137:

<input checked="" type="checkbox"/>	37 CFR 1.16(a), (f) or (g) (filing fees)
<input type="checkbox"/>	37 CFR 1.16(b), (c) and (d) (presentation of claims)
<input type="checkbox"/>	37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
<input type="checkbox"/>	37 CFR 1.18 (application processing fees)
<input type="checkbox"/>	37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

17. Instructions As To Overpayment

☐ credit Account No. _____

☒ refund



SIGNATURE OF ATTORNEY
James M. Ritchey, Reg. No. 32,594
O'BANION & RITCHEY
Wells Fargo Center
400 Capitol Mall, Suite 1550
Sacramento, CA 95814
Telephone: (916) 498-1010

☐ **Incorporation by reference of added pages**

☐ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s) Claimed

Number of pages added _____

☐ Plus Added Pages For Papers Referred To In Item 4 Above

Number of pages added 1

☐ Plus "Assignment Cover Letter Accompanying New Application

Number of pages added _____

☒ **Statement Where No Further Pages Added**

☒ This transmittal ends with this page